THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT APPEAL No.497 OF 2006

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Dated: 08-06-2006

Between:

The Depot Manager . . .Petitioner

and

A.P. State Secretary and another . . .Respondents

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THE HON'BLE SRI JUSTICE B.PRAKASH RAO

and

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT APPEAL No.497 OF 2006

JUDGMENT: (per BPR, J)

Heard Sri B.G.Uma Devi, learned standing counsel appearing on behalf of the appellant and at her request, this writ appeal is taken up for disposal at the admission stage itself.

The appellant, which is a Corporation, seeks to assail the orders, dated 20-02-2006, dismissing W.P.No.3068 of 2006 filed by it as against the award passed in I.D.No.87 of 2003, dated
22-02-2005 on the file of the I.T.-cum-Labour Court, Visakhapatnam, in respect of variation in punishment ultimately, imposed as against its employee, who has been represented by respondent No.1, since cause is taken up by it.

Having heard the learned standing counsel for the appellant and having perused the material, we are of the view that since the proposed enquiry and also specific observations of the learned single Judge are on factual side, and as the reasons have been given justifiably, such variation in respect of imposition of punishment on the employee is purely a finding of fact. In view of the same and especially having regard to the discretion exercised by the learned single Judge, we do not find any ground in the impugned order warranting interference by this Court.

The Writ Appeal is accordingly dismissed. There shall be no order as to costs.

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(B.PRAKASH RAO, J)

8th JUNE, 2006.

(RAMESH RANGANATHAN, J)

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